The purpose of this policy is to promote and maintain a safe and healthy environment for the school community. The Loudoun County School Board is committed to supporting students to abstain from the possession, use, distribution, and/or sale of alcohol, illicit and unauthorized drugs, tobacco, and electronic cigarettes ("e-cigarettes"). Staff will intervene when a violation is detected, take appropriate corrective disciplinary action, and provide educational support for all students.

A. Prohibited Substances and Usage: While under School Board authority, which scope is set forth in Policy 8205: Discipline Authority, students are strictly prohibited from the following while under school board authority, on a school bus, at a school bus stop, on school property, or at a school sponsored activity on or away from school property per Policy 8205: Discipline Authority.

1. The unlawful manufacture, manufacturing, possession, distribution, dispensing, sale, intent to sell and/or distribute possession, or use of any illegal drug or chemical substance that affects the brain or nervous system, to include stimulants, depressants, hallucinogens, inhalants, opiates, narcotics, amphetamines, barbiturates, marijuana, anabolic steroids, synthetic, or controlled substances (including anabolic steroids). A controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V of the Controlled Substances Act (21 U.S.C. § 801 et seq.) at 21 U.S.C. § 812(c). A controlled substance that is legally possessed or used under the supervision of a licensed-healthcare professional or that is legally possessed or used under any other authority under the Controlled Substances Act—or under any other provision of federal law—will not be considered an illegal drug under this policy.

2. Manufacturing, possessing, distributing, dispensing, selling, intending to sell and/or distribute, or using any item that purports to act like/imitate an illegal drug or controlled substance (e.g., pill, capsule, tablet, or any imitation/look-alike drug or chemical substance that affects the brain or nervous system (including anabolic steroids))—regardless of the items’ actual effects.

1. and any controlled substances (pill, capsule, tablet, or any form which purports to act like a controlled substance) or any imitation or look-alike drug, controlled substance or marijuana.

2.3. The manufacturing, possessing, distributing, dispensing, selling, intending to sell and/or distribute, or using any possession of alcohol (to include: ethyl or grain alcohol obtained by distillation of any fermented liquor, shall include; synthetic ethyl alcohol; spirits, such as that includes brandy, rum, whiskey, vodka, scotch, gin—or any combination thereof; and one or more products/liquids that contain alcohol, such as shall include cough syrup, mouthwash, and extracts). and any other such products or material, whether solid or liquid, which contain alcohol but shall not include Methyl alcohol and alcohol completely denatured in accordance with formulas approved by the United States Government is not prohibited under this policy.
3.4. Being under the influence of illegal drugs or alcohol, as previously defined and/or characterized herein. (stimulants, depressants, hallucinogens, inhalants, opiates) including but not limited to narcotic drugs, amphetamines, barbiturates, marijuana, and any anabolic steroid, synthetic drug, or any contraband or controlled substance.

Being under the influence of alcoholic beverages (wine, beer, every liquid or solid, patented or not, containing alcohol spirits), or intoxicants of any kind.

4. The sale, delivery, or intent to sell or deliver alcohol or controlled substances.

5. The sale, distribution, or intent to sell or distribute look-alike controlled substances or synthetic drugs (substances that are represented or perceived as an illegal drug or marijuana regardless of the true nature of the substance) regardless of whether they produce similar subjective effects to illegal drugs.

5. The use, possession, or distribution of drug-related paraphernalia or contraband.

6.  

7. The sale or distribution of any non-prescription medication (i.e., substances or drugs used in treating diseases, healing or relieving pain—to include, not limited to, all over-the-counter drugs, such as aspirin, cough syrups, gargles, caffeine pills, homeopathic treatments, and the like), regardless of whether it is prescription or otherwise, as well as prescription medications.

7. The possession, sale, distribution, dispensing, sale, intent to sell and/or distributee possession, or use of tobacco (i.e., cigarettes, cigars, blunts, bidis, pipe tobacco, snuff, chewing tobacco, electronic smoking devices (i.e., e-cigarettes and vape pens)), and all other kinds, methods, products and any other products containing nicotine.

8. The sale, distribution, or possession of tobacco or accessories and/or paraphernalia—regardless of whether they contain nicotine—such as filters, rolling papers, pipes, and liquids used in electronic smoking devices to vape, whether or not they contain nicotine.

9. The use of tobacco (vaping, smoking, chewing, dipping, or any electronic smoking device use or any other use of tobacco products).

10. The display, distribution, or sale of materials (e.g., clothing apparel or printed items/publications) that promote the use and/or abuse of drugs/alcohol or that the sale or distribution of publications, T-shirts, other apparel or other printed matter, which advocate the use of illegal drugs or the abuse of legal drugs, which
portray such use as socially acceptable behavior, or which advertise the sale of counterfeited or look-alike drugs or drug-related paraphernalia.

B. School Property. School property means: in any building, structure, or vehicle that is owned, leased, or contracted by the Division, both on and off-site; any real property surrounding buildings and structures, athletic grounds, parking lots, or any other outdoor property that is owned, leased, or contracted by the school division or one of its school division charter schools, both on and off-site.

C. School Responsibilities. Schools are responsible for maintaining an atmosphere conducive to learning and protecting students from illegal and harmful influences. All members of the school community are subject to the law, and school personnel have the obligation to report suspected violations of the law to proper authorities.

Possession of Prescription or Non-Prescription Medication. Students shall not possess any prescription or non-prescription medication, with the exception of those identified in an approved health plan (e.g. inhalers, Epipen, or prescription drugs)—even if when otherwise recommended or prescribed for the student’s use. All such items shall be taken to the clinic by the parent(s), legal guardian(s), eligible student, or other responsible adult, or to a school clinic or office designated by the principal or principal’s designee, at the start of the school day for safekeeping.

D.

E. Prevention and Intervention. In addition to disciplinary actions deemed appropriate in accordance with Policy 8210 et seq., all students who violate this policy shall participate in LCPS’ substance prevention and intervention activities, to include attending a Substance Use Education Class. A disciplinary assignment to the Substance Use Education Class under this policy is not a placement in an alternative education program. Additionally, any student who violates this policy may be required to: (1) undergo an evaluation for drug and/or alcohol abuse; and (2) participate in a substance treatment program, if recommended by an appropriately licensed evaluator and upon consent of the student’s parent(s) or guardian(s) (or with the consent of the student, if eligible). The student may be required to participate in a treatment program.

D. Right of Appeal. Appeals will be processed as follows: A Short-term suspensions and assignments to the Substance Use Education Class may be appealed in accordance with School Board Policy 8220. A Long-term suspensions and assignments to the Substance Use Education Program Class may be appealed in accordance with School Board Policy 8230.
**H.**

I. **Discipline Procedures; Severability and Enforceability.** The provisions of this policy are intended to be and are hereby declared severable. In the event one or more portions are declared unenforceable by a court or competent jurisdiction, such declaration shall not impair the enforceability of the remaining portions hereof.

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Adopted: 10/24/2017

**Legal Refs:** 21 U.S.C. § 812(c); §§ 4.1-100, 22.1-277.04, and 22.1-277.05, and 22.1-279.3:1, Code of Virginia

**Cross Refs:** Policy 7554: Employee Responsibility Concerning Student Alcohol and Drug Usage, Policy 820582: Discipline Authority, Policy 8210: Introduction to Student Discipline, Policy 8220: Student Suspension, and Policy 8230: Appeals and Hearings – Student Discipline